

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 14118

PERMIT 8543

LICENSE 5469

ORDER ALLOWING CORRECTION OF DESCRIPTION OF
POINT OF DIVERSION

WHEREAS License 5469 was issued to Peter A. and Vernice H. Gasser and was filed with the County Recorder of Napa County on March 25, 1959, and

WHEREAS the State Water Rights Board has found that the correction of description of point of diversion under said license for which petition was submitted on January 31, 1964, will not operate to the injury of any other legal user of water, and

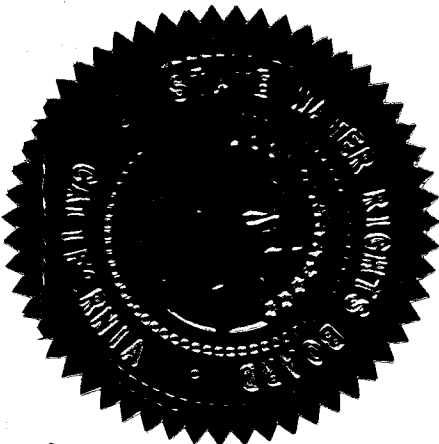
WHEREAS the Board has approved and allowed said correction and has directed that an order be issued to describe said point of diversion in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to correct the description of point of diversion under said License 5469 to read as follows, to wit:

NORTH SEVENTY-FIVE DEGREES THIRTY-ONE MINUTES EAST (N75° 31'E)
FOUR HUNDRED FIFTY-THREE (453) FEET FROM SW CORNER OF SECTION 17,
T6N, R3W, MDB&M, BEING WITHIN SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 17.

WITNESS my hand and the seal of the State Water Rights Board of the
State of California this 4 th day of November, 1964

L. K. Hill
L. K. Hill
Executive Officer



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14118

PERMIT 8543

LICENSE 5469

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. License 5469 was issued to Peter A. and Vernice H. Gasser and was filed with the County Recorder of Napa County on March 25, 1959.
2. License 5469 was subsequently assigned to Tower Conservatory.
3. An order allowing correction of description of point of diversion was granted on November 4, 1964 and has been recorded with the County Recorder of Napa County on November 5, 1964 in Volume 710, Page 60.
4. A petition for change in place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
5. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The place of use under this license shall be as follows:

Domestic, stockwatering and recreational uses within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, T6N, R3W, MDB&M and irrigation of:

22 acres within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, T6N, R3W, MDB&M

28 acres within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, T6N, R3W, MDB&M

30 acres within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18, T6N, R3W, MDB&M

25 acres within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18, T6N, R3W, MDB&M

10 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19, T6N, R3W, MDB&M

115 acres total

Dated: **MAY** 12 1986

Lloyd Johnson
Lloyd Johnson, Interim Chief
Division of Water Rights

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 14118

PERMIT 8543

LICENSE 5469

THIS IS TO CERTIFY, That

Peter A. Gasser and Vernice H. Gasser
2826 Monticello Road
Napa, California

over

have made proof as of April 10, 1958
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
an unnamed creek in Napa County
tributary to Milliken Creek

for the purpose of irrigation, stockwatering, recreational and domestic uses
under Permit 8543 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from January 2, 1951
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed one hundred seventy-two
(172) acre-feet per annum to be collected from about October 15 of each year to
about June 15 of the succeeding year. The maximum withdrawal in any one year has
been one hundred sixty-seven (167) acre-feet.

The point of diversion of such water is located
North eight hundred fifty (850) feet and east one thousand five hundred (1500) feet
from SW corner of Section 17, T6N, R3W, MDB&M, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said
Section 17.

A description of the lands or the place where such water is put to beneficial use is as follows:

Domestic, stockwatering and recreational uses within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, T6N, R3W,
MDB&M and irrigation of:

22 acres within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, T6N, R3W, MDB&M
28 acres within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, T6N, R3W, MDB&M
50 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

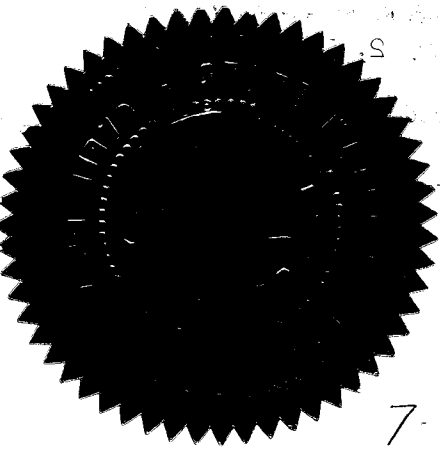
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 24 '59

L. K. Hill
L. K. Hill
Executive Officer



7-7-75 Records chgd to show Carl
& Margaret L. Rose, Riverwood
Builder, and H. Gallishott,
Robert W. & Helga Nielsen as owners
7-25-85 Arpa to Tower Conservatory
4-7-93 chgd to William E. Jarvis;

LICENSE 5469

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Peter A. and Vernice H.
Gasser

DATED MAR 24 '59

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